IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.782 OF 2004
IN
SUIT NO. 870 OF 2004

Mr.Hasmukhrai S.Dhami ..Plaintiff

Vs.

Tropical Refrigeration
Industries & Ors. ..Defendants

Mr.Agnes Baradia a/w P.Chhatrapati i/b Thakore Jariwala and Associates for the plaintiff

Ms.Arti Gaikwad i/b M.S.Mhambray for the defendants

CORAM : S.U.KAMDAR, J
DATED : 27TH SEPTEMBER, 2005

P.C.:

. The present suit is filed for Rs.63,47,002/- on the basis of agreement dt.31.3.98 which is at Ex.B. The said amount is also confirmed once again by filing agreement dt.20.3.01 which is at Ex.C. The defendants have filed reply dt.26.9.05. The only defence raised is defendant is unable to file any affidavit in reply on merits because the person is suffering from hyper tension. Matter has been adjourned earlier on 13.9.05 as none appeared for the defendants. I directed the

defendants to give notice. Notice was served on 14.9.05. Matter is reached today. The learned counsel for the defendants are unable to file reply even today. Summons for Judgment is served one year back. In that view of the matter, Summons for Judgment is made absolute. Suit is decreed. Suit as well as Summons for Judgment are disposed of accordingly. Refund of court fee as per rules.